

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

KRISTOPHER R. OLSON,
CHRISTOPHER LOPEZ, WARREN
BARBER, CHRISTOPHER CLIFFORD,
AND ERIK LIPTAK, individually and on
behalf of all others similarly situated,

Plaintiffs,

v.

MAJOR LEAGUE BASEBALL; MLB
ADVANCED MEDIA, LP; HOUSTON
ASTROS, LLC; and BOSTON RED SOX
BASEBALL CLUB, LP,

Defendants.

Case No. 1:20-cv-00632-JSR

**DEFENDANT HOUSTON ASTROS, LLC'S NOTICE OF MOTION TO DISMISS
THE AMENDED COMPLAINT**

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law in Support of its Motion to Dismiss, Defendant Houston Astros, LLC, by its attorneys, Vinson & Elkins, L.L.P., respectfully moves this Court, before the Honorable Jed S. Rakoff, United States District Judge, United States District Court, Southern District of New York, at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, Courtroom 14B, New York, New York, at a date and time to be set by the Court, for an order pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, dismissing the Amended Complaint with prejudice, for Plaintiffs' failure to state a claim upon which relief can be granted.

PLEASE TAKE FURTHER NOTICE pursuant to the Court's Scheduling Order signed on February 7, 2020, any opposing memoranda must be served on or before March 6, 2020, and any reply memoranda must be served on or before March 13, 2020.

Dated: February 21, 2020

Respectfully submitted,

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